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| APPLICATION NO.  | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO.           | CONFIRMATION NO.       |
|--|-------------|----------------------|-------------------------------|------------------------|
| 09/017,329   | 02/02/1998  | RYUICHI MATSUKURA    | 1083.1049/JD                  | 8159                   |
| 21171 7590 10/31/2007<br>STAAS & HALSEY LLP<br>SUITE 700<br>1201 NEW YORK AVENUE, N.W.<br>WASHINGTON, DC 20005 |             |                      | EXAMINER<br>WINDER, PATRICE L |                        |
|  |             |                      | ART UNIT<br>2145              | PAPER NUMBER           |
|  |             |                      | MAIL DATE<br>10/31/2007       | DELIVERY MODE<br>PAPER |

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

09/017,329

Applicant(s)

MATSUKURA, RYUICHI

Examiner

Patrice Winder

Art Unit

2145

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 05 September 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-11, 16-22 and 27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11, 16-22, 27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application
- ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments filed September 5, 2007 have been fully considered but they are not persuasive.

Applicant argues – “However, there is no teaching that the zones correspond to positions in the real world. Instead, these zones generally exist in the virtual world of the network universe.”

2. In column 2, lines 1-2 Jalalian taught zones are also physical divisions within the company. The company in question has a physical location, such as the building, that houses the employees and the network. The physical divisions of this building are different from the logical divisions of the company and the physical divisions would include rooms, floors, cubicles, etc. Thus, when the zones are physical divisions the zones are positions in the real world. The name of the particular division (i.e. accounting, engineering) depends on the company itself.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claim 4 is rejected under 35 U.S.C. 102(b) as being anticipated by Jalalian et al., USPN 5,548,722 (hereafter referred to as Jalalian).

5. Regarding claim 4, Jalalian taught a computer network system in which plural connecting means capable of connecting and disconnecting a computer is provided in a network circuit to which a computer is connected to said connecting means (column 6, lines 26-30), wherein

said computer comprises resource information managing means for managing plural sets of information relating to hardware or software, including a place of installation in the real world for each of the hardware or software, which are usable through said network circuit corresponding to said connecting means (column ),

position selecting means for selecting one of the information relating to plural sets of hardware or software managed by said resource information managing means (column 7, lines 15-26), and

resource setting means for setting the hardware or software according to the information relating to the hardware or software corresponding to the position selected by said position selecting means (column 7, lines 41-49), and

when said computer is connected to said network through any one of said plural connecting means, said resource setting means obtains the hardware or software information corresponding to the position selected by said position selecting means from said resource information managing means, and directly sets the hardware or software (column 10, lines 19-32).

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***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

8. Claims 1-3, 5-11, 16-22 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jalalian in view of Blair et al., USPN 5,809,265 (hereafter referred to as Blair).

9. Regarding claim 1, Jalalian taught a computer network system (abstract) including:

a network circuit (column 6, lines 31-35);

a first computer fixedly connected to said network circuit (column 7, lines 15-26);

and

plural connecting means provided in said network circuit and capable of connecting and disconnecting a second computer (column 6, lines 26-30);

wherein said first computer comprises resource information managing means for managing information relating to hardware or software, including place of installation in the real world for each of the hardware or software, which are usable through the hardware circuit (column 7, lines 41-49), and resource information processing means for taking out the hardware or software information from said resource information managing means in response to a request for information relating to usable hardware or software from another computer, and transmitting to said network circuit (column 10, lines 15-32). Jalalian does not specifically teach resource setting means in a second computer. However, Blair taught a second computer comprises resource setting means for setting the hardware or software according to the hardware or software information transmitted by said resource information processing means of said first computer (column 4, lines 6-12, 46-59),

when second computer is connected to said network circuit through any one of said plural connecting means, said resource setting means receives the hardware or software information transmitted by said resource information processing means of said first computer and directly set the hardware or software (column 4, line 67-column 5, line 12). It would have been obvious to one of ordinary skill in the art at the time the invention was made that incorporating Blair's resource setting means in Jalalian's system for choosing network services would have minimized user interaction. The motivation would have been to allow the user to directly connect to printing services.

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10. Regarding claim 2, Jalalian taught computer network system including:

a network circuit (column 6, lines 31-35);

a first computer fixedly connected to said network circuit (column 7, lines 15-26);

and

plural connecting means provided in said network circuit and capable of connecting and disconnecting a second computer (column 6, lines 26-30);

wherein said first computer comprises resource information managing means for managing information relating to hardware or software, including place of installation in the real world for each of the hardware or software, which are usable through the hardware circuit (column 7, lines 41-49), and resource information processing means for taking out the hardware or software information from said resource information managing means in response to a request for information relating to usable hardware or software from another computer, and transmitting to said network circuit (column 10, lines 15-32) and resource installation position managing means for managing the position at which the hardware or software managed by said resource information managing means exists (column 7, lines 24-32). Jalalian does not specifically provide details of the second computer. However, Blair taught a second computer comprises position noticing means for noticing the position information indicating the position to said first computer when connected to one of said connecting means, resource selecting means for selecting an arbitrary hardware information or software out of a plurality of the hardware or software (column 4, lines 46-59), and

resource setting means for setting the hardware or software according to the hardware or software information selected by said resource selecting means (column 5, lines 43-55),

when second computer is connected to said network circuit through any one of said plural connecting means (column 3, lines 46-49),

said resource installation position managing means of said first computer reads out the hardware or software information corresponding to the position information noticed by said position noticing means from said resource information managing means, and transmits to said second computer (column 6, line 66 – column 6, line 6),

said resource setting means of said second computer directly sets the hardware or software selected by said resource selecting means in the hardware or software information received from said first computer (column 5, lines 43-55). For motivation for combination see claim 1, above.

11. Claim 3 has similar limitations as claim 1 and additional limitations of a resource information holding means for holding the resource information relating to the resources that can be managed directly and comparing means for comparing the content of the resource information holding means and the content of the resource information managing means of the first computer, detecting a replaceable resource. Therefore, the similar limitations are disclosed under Blair for the same reasons set forth in the rejection of claim 1 (Supra 1). Blair, also taught resource information holding means for holding the resource information relating to the resources that can be managed directly and comparing means for comparing the content of the resource information holding



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means and the content of the resource information managing means of the first computer, detecting a replaceable resource (column 5, lines 28-42).

12. Claim 5 has similar limitations as claim 1 and additional limitations of a comparing means for comparing an updated time of the hardware or software information of said resource managing means of the second computer and an updated time of the hardware or software information of said resource managing means of said first computer. Therefore, the similar limitations are disclosed under Blair for the same reasons set forth in the rejection of claim 1 (Supra 1). Also, Blair taught comparing means for comparing an updated time of the hardware or software information of said resource managing means of the second computer and an updated time of the hardware or software information of said resource managing means of said first computer (column 6, lines 21-67; column 7, lines 1-12).

13. Claim 6 has similar limitations as claim 1 and additional limitations of a resource updating means for updating the content of the resource information managing means when receiving an updated resource. Therefore, the similar limitations are disclosed under Blair for the same reasons set forth in the rejection of claim 1 (Supra 1). Also, Blair further taught a resource updating means for updating the content of the resource information managing means when receiving updated resource information (column 6, lines 21-67; column 7, lines 1-12).

14. Claims 10-11 has similar limitations as claim 1 and additional limitations of a resource noticing means for noticing the content of the resource information managing means and updating resource information registering means by receiving the updated

resource information from the computer. Therefore, the similar limitations are disclosed under Blair for the same reasons set forth in the rejection of claim 1 (Supra 1). Weiser-Theimer taught a resource noticing means for noticing the content of the resource information managing means and updating resource information registering means by receiving the updated resource information from the computer (column 6, lines 21-67; column 7, lines 1-12).

15. Claims 7-9 and 16-22, 27 have similar limitations as claims 1. Therefore, they are rejected under Jalalian-Blair for the same reasons set forth in the rejection of claim 1 (Supra 1).

### ***Conclusion***

16. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

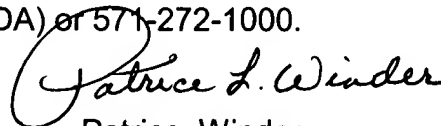
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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17. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Patrice Winder whose telephone number is 571-272-3935. The examiner can normally be reached on Monday-Friday, 10:30 am-7:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Cardone can be reached on 571-272-3933. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Patrice Winder  
Primary Examiner  
Art Unit 2145

October 23, 2007